

Senate Resolution 954

By: Senators Hamrick of the 30th and Smith of the 52nd

**ADOPTED**

A RESOLUTION

Ratifying the initial minimum standard promulgated by the Georgia Public Defender Standards Council, hereinafter referred to as the "Standards Council," entitled "State of Georgia Performance Standards for Criminal Defense Representation in Indigent Criminal Cases," hereinafter referred to as the "Performance Standard"; to provide for an effective date; and for other purposes.

WHEREAS, Code Section 17-12-8 of the O.C.G.A. provides that the initial minimum standards promulgated by the Standards Council which are determined by the General Oversight Committee for the Georgia Public Defender Standards Council, hereinafter referred to as the "Legislative Oversight Committee," to have a fiscal impact shall be submitted by the Standards Council to the General Assembly and shall become effective only when ratified by joint resolution of the General Assembly and upon the approval of the resolution by the Governor or upon its becoming law without such approval; and

WHEREAS, the Standards Council adopted the Performance Standard on May 21, 2004; and

WHEREAS, the Legislative Oversight Committee at its meeting on March 23, 2005, reviewed and determined that the Performance Standard has a fiscal impact; and

WHEREAS, a copy of the original document containing the Performance Standard is attached to and made a part of this resolution; and

WHEREAS, the original document containing the Performance Standard is signed by the chairperson of the Standards Council and is on file in the official records maintained by the Standards Council; and

WHEREAS, the request for legislative ratification of the Performance Standard has been submitted to the General Assembly in accordance with subsection (c) of Code Section 17-12-8 of the O.C.G.A. and it is the desire of the General Assembly to ratify and approve such standard.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly hereby ratifies and approves the Performance Standard adopted by the Standards Council and approved by the Legislative Oversight Committee on March 23, 2005. A copy of the Performance Standard has been presented to the Legislative Oversight Committee and is attached to this resolution, and the original document is on file in the official records maintained by the Standards Council.

BE IT FURTHER RESOLVED that this resolution shall become effective upon its approval by the Governor or upon its becoming law without the Governor's approval.